

Section 1: Crime Victims

The Changing Landscape of Victims' Rights and Services

In the past 30 years, there has been a significant change in the relationship between the criminal justice system and crime victims. Citizen organizations of victims of domestic violence, sexual assault, and drunk drivers have all had important impacts on the role victims and victims' advocates play in the legal system. These and other groups and their allies have won important changes in the way victims are treated by the courts and the prison system, and have lobbied for and won significant funding for a variety of victims' services. These reforms have taken place at the federal, state, and local level.

Today, the field of victims' rights and services continues to evolve. As the needs of crime victims become more widely understood, demand for victim services has increased beyond the system's current capacity to provide them. Nonetheless, there is a clear trend towards greater attention to the constructive role victims and their advocates can play in bringing criminals to justice, in advocating for changes in public policy, and in educating the public about crime and its consequences. And, there is a growing recognition that the criminal justice system must be responsive to victims' needs.

Victims of Crime in Washington State

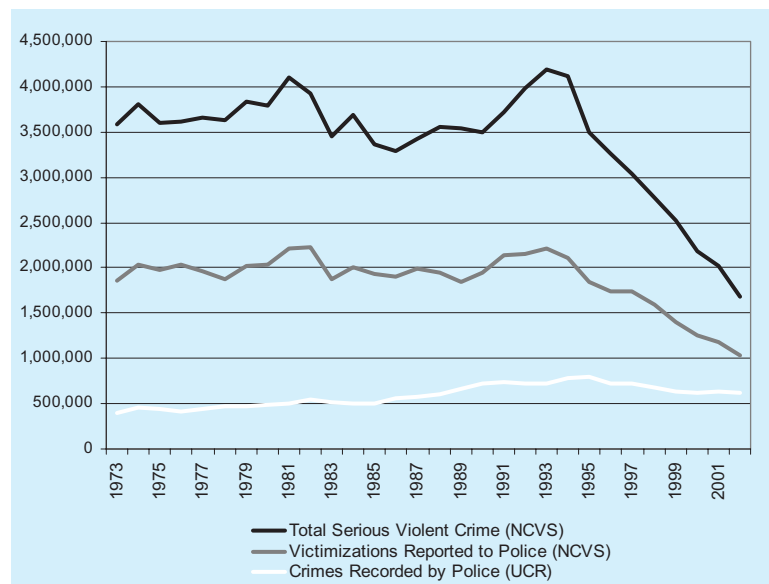
Every year, many Washington residents become victims of crime, but the exact number is a mystery because the majority of crimes are not reported. In 2000, the National Crime Victimization Survey noted that victims across the U.S. told police about less than half of the non-fatal, violent crimes against persons older than 12, although national reporting of violent crime did increase from an annual average of 43 percent between 1992 and 1999, to 49 percent in 2000 (Bureau of Justice Statistics 2003 1). Only about 39 percent of property crimes were reported.

The chart on the next page shows the total number of serious violent crimes, compared to the victimizations reported to police. The bottom line in the chart is the number of homicides recorded by police, plus other violent crimes, whether or not they were reported to police. The middle line is the number of violent crimes reported to police. The top line is the number of violent crimes, excluding commercial robberies and crimes that involved victims over age 12. For purposes of this chart, serious violent crime includes rape, robbery, aggravated assault and homicide.

According to a 2000 National Victim's survey, victims reported less than half of non-fatal crimes against persons.

The first state-funded programs for victims of crime began in 1974.

FIGURE 1-1
Victimizations Reported to Police: 1992-2000



Source: US Department of Justice, Bureau of Justice Statistics 2003 6

To date, statewide comprehensive victims surveys have not been undertaken in Washington.¹ However, Spokane was included in a 12-city study of victimization in 1998, conducted by the federal Office of Community-Oriented Policing Services and the Bureau of Justice Statistics. An estimated sixty-seven out of each 1,000 Spokane residents aged 12 and older reported that they had been the victim of a violent crime during the year. Four hundred and eleven people per 1,000 residents – more than 40 percent – said they had experienced a property crime. Data from interviews indicated that just 31 percent of violent crime victimizations were reported to the police, well below the national estimate (Bureau of Justice Statistics 1999 3).²

Legislative Recognition of Crime Victims

Victims are an integral part of the criminal justice process. They often report the crime, providing first responders with initial information. Victims offer personal testimony at trial and in the pre-sentence investigation report read by judges before deciding on the defendant's punishment. In addition, victims or their survivors often write or orally present a victim impact statement, telling judges how the crime affected them.

Crime Victim Compensation Program Despite victims' key role in criminal justice, the first state-funded program for crime victims in Washington State did not appear until 1974, when the state legislature established the Crime Victim Compensation Program, (RCW 7.68)

¹ In November 2001, OCVA published the results of a survey of sexual assault victims, "Sexual Assault Experiences and Perceptions of Community Response to Sexual Assault" (Washington State Office of Crime Victim's Advocacy 2001).

² When researchers compared the number of crimes reported to police in Spokane with those survey participants said had been reported, as a check on the usefulness of the self-report data, the figures were generally similar (Bureau of Justice Statistics 1999 8).

which enables crime victims to receive government financial assistance, including the cost of medical care and lost wages.

Domestic Violence and Sexual Assault Funding In 1979, the Legislature allocated the first-ever state funding for domestic violence (DV) (RCW 70.123) and sexual assault (SA) victims (RCW 70.125). State funds supported DV and SA programs across the state, creating a network of advocacy and support for these victims.

Victim's Bill of Rights - RCW 7.69 and 7.69A list rights of adult and child crime victims, survivors, and witnesses. (These are often referred to as the Victim's Bill of Rights and Child's Bill of Rights.) RCW 7.69.010 notes the intent of the bill to "grant to the victims of crime and the survivors of such victims a significant role in the criminal justice system," by focusing on victim notification of hearing and trial schedules, and respect for what victims suffered. The bill of rights requires that victims have access to advocates and to information regarding possible compensation for missed employment, and the opportunity to make victim impact statements. The victim impact statement is a statement to the court written by the victim describing the impact of the crime on his or her life. Victim advocates provide a full range of services (See section on advocacy for victims, below.) Victims' rights are detailed in the box.

Victims have the right:

- 1) To be informed of, and attend, trial and all other court proceedings the defendant has the right to attend, at prosecutor's discretion;
- 2) To make a statement at sentencing and at any proceeding where the defendant's release is considered; and
- 3) To have a representative appointed if the victim is unavailable.

WA Const. Art. 1, Sec. 35.

Still, many advocates argue there is no enforcement of these rights, and that victims have little recourse if their rights are denied. In 2002, the Underserved Victims of Crime Task Force Report suggested investing the Office of Crime Victims Advocacy (OCVA) with authority to investigate and report on all victims' rights violations (Washington State Office of Crime Victims Advocacy 2002a 32).

In 1989, a victim's rights amendment was added to the Washington State Constitution to allow felony crime victims to attend the trial and make a statement at sentencing.

Washington Constitutional Amendment - In 1989, legislators changed the Washington State Constitution to include a victims' rights amendment. Section 35 grants felony victims the right to be informed of and, at the judge's discretion, to attend the defendant's trial and make a statement at sentencing (WA Const. Art.1, Section 35).

Community Protection Act - In 1990, the Community Protection Act (RCW 71.09) established ways to decrease the incidence of sexual assault and improve services for victims of sexual assault. Included in the Act were longer sentences for offenders, mandated registration by sex offenders with law enforcement agencies, community notification about released sex offenders, qualification requirements for sex offender

Victims' services are necessary in the aftermath of a violent crime because the impacts of such experiences may temporarily render people unable to manage everyday activities.

treatment facilities, and increased advocacy and treatment services for victims.

The Community Protection Act also established the Office of Crime Victims Advocacy (OCVA). Under the mandates of RCW 43.280.080, OCVA assists communities in planning and implementing services for crime victims, and advises local and state governments on practices, policies and priorities that affect crime victims. Program staff also administer various grants supporting community and statewide victims services programs.

Address Confidentiality Program - Since 1991, the Address Confidentiality Program (ACP) has been managed by the Secretary of State to help crime victims stay safe by preventing offenders from using state and local government records to locate victims. Under RCW 40.24.030, victims receive a substitute mailing address that can legally be used when working with state and local agencies, and seals two normally public documents: voter registration and marriage records. To qualify for the program, a victim must be a survivor of sexual assault, domestic violence or stalking; must be a resident of Washington; and must have recently moved to a location unknown to the abuser and government agencies.

Advocacy For Victims

Victims' services are necessary in the aftermath of a violent crime because the impacts of such experiences may temporarily render people unable to manage everyday activities. It is often helpful for victims to know that they are not alone, and that there are others who have suffered similar crime experiences and have survived.

In Washington, there are two kinds of advocacy and support services for victims: system-based services (that is, services provided from within the criminal justice system) and community-based services (services provided by independent non-profit organizations). System-based services facilitate victim contacts with the legal system and, depending on the type of crime, can notify registered victims of changes in the location or incarceration status of the offender. Because of the system-based advocate's location within the criminal justice system, these services can often effectively help victims with their individual cases and help develop policy improvements.

To be eligible for local court revenue to fund victim/witness services, prosecutor programs must provide comprehensive service to victims of all crimes, inform victims about the Crime Victim Compensation Program, and assist victims with adjudications and restitution (RCW 7.68.035). Some law enforcement agencies also designate a victim's advocate.

Prosecutor victim programs, housed in prosecutors' offices, are funded in part by fines paid by convicted defendants, and by federal grants such as Victims of Crime Act funding. In larger counties, revenue is generally sufficient to support these services, but in smaller counties fines may cover only a fraction of a staff member's salary. Most of the income for such programs comes from district and municipal courts, which rely heavily on fines instead of incarceration. In 1996, the Legislature passed

Community-based services are often the primary resource in a victim's community to provide help throughout the criminal justice and personal recovery processes.

SHB 2358, raising penalties for superior court defendants and increasing the percentage of fines earmarked for victims' programs.

Community-based programs provided by non-profit organizations deliver a wide variety of services, primarily to victims of sexual assault and domestic violence. Because they are independent agencies, community programs are able to advocate at different points in the process from system-based agencies, and in a variety of ways.

Both types of advocacy, system-based and community-based, are necessary. System-based support helps the victim gain access to the criminal justice system, while community-based organizations can tailor their services to the needs of victims of certain types of crime.

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Funding for Victim Services

Local Funding- Few local governments currently fund services for crime victims. Most of the money local governments do allocate for this purpose is directed to sexual assault or domestic violence agencies (Washington State Office of Crime Victims Advocacy 2002a 20).

State Funding - The major sources of state funding for victims' services are the Public Safety and Education Account (PSEA), the Violence Reduction and Drug Enforcement Account (VRDE) and the state general fund.

PSEA funds come from fines imposed on criminal defendants when they are convicted, and fines for traffic violations (RCW 43.08.250). Taxes on gun and alcohol sales and drug forfeitures go into the VRDE account (RCW 69.50.520). The state general fund receives money from non-appropriated state taxes such as retail sales tax, business and occupation tax, and property tax. The Legislature allocates general fund dollars through the biennial state budget process.³

Crime Victims Compensation Program (CVC) - The Department of Labor and Industries receives both federal and state funds for crime victim compensation. The federal Victims of Crime Act appropriated \$6.8 million to CVC during 2001-2003. PSEA provided CVC with \$20.2 million during that same period. In addition, CVC received \$1.2 million in funds from Inmate Wage Assessments, and \$3 million from Inmate Collect Calls (Crooker July 22, 2003).

Prosecutor-Based Victim/Witness Programs - SHB 2358, passed in 1996, increased the fines imposed on criminals from \$100 to \$500 for defendants convicted of a felony or gross misdemeanor, and to \$250 (up from \$75) for defendants convicted of one or more misdemeanors. (Washington State Office of Crime Victims Advocacy 2002c 1) OCVA reported in 2002 that the increase in assessments had resulted in a significant increase in funding for county victim/witness assistance programs. If statewide felony convictions and collection rates remain

³ More information about specific state funds can be found in the Fund Reference Manual published by the Washington State Office of Financial Management (n.d. a). Funding for criminal justice purposes is discussed in more detail in the finance chapter of this report.

stable, the assessments will generate between \$5 and \$6 million a year for state and local governments. Approximately \$1.7 million of this amount will support victim/witness services provided by county prosecutors' offices (Washington State Office of Crime Victims Advocacy 2002c 11). The table below details PSEA and Victim/Witness Program funds collected between 1995 and 2001.

TABLE 1-1 Fund Deposits from Penalty Assessment Collections: Statewide Totals 1995-2001							
	1995	1996	1997	1998	1999	2000	2001
Victim/Witness Program							
Superior Court	\$11,771	\$67,564	\$399,237	\$894,296	\$1,361,809	\$1,626,974	\$1,668,321
Juvenile Court	\$411	\$18,108	\$71,850	\$112,989	\$137,061	\$153,816	\$155,066
County General Fund							
Superior Court	\$652,320	\$740,903	\$900,439	\$1,275,229	\$1,361,809	\$1,626,974	\$1,668,321
Juvenile Court	\$22,294	\$86,132	\$97,796	\$127,952	\$137,061	\$153,816	\$155,066
PSEA							
Superior Court	\$312,513	\$380,455	\$611,612	\$1,020,953	\$1,281,703	\$1,531,270	\$1,570,184
Juvenile Court	\$10,981	\$49,054	\$79,833	\$113,384	\$128,998	\$144,768	\$145,944
Grand Totals	\$1,010,290	\$1,342,216	\$2,160,767	\$3,544,803	\$4,408,441	\$5,237,617	\$5,362,901

Source: Washington State Department of Community Trade & Economic Development, Office of Crime Victims Advocacy 2002c 6

Department of Corrections (DOC) - The Victim/Witness Program and Community Victim Liaisons are funded by state general funds.

Office of Crime Victims Advocacy (OCVA) - OCVA funds their crime victim and advocacy services through the State General Fund, PSEA and VRDE.

Department of Social and Health Services (DSHS) - DSHS manages state funding for domestic violence emergency shelter services. They also receive a small amount of PSEA money for services to underserved victims of family violence.

Federal Funding

The bulk of federal funding for victims' services in Washington comes from the following grants:

Violence Against Women Act (VAWA) - Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322) helps states, tribes, local government and community-based advocacy agencies to develop effective law enforcement and prosecution strategies to prevent domestic violence and sexual assault against women, and strengthen services for women who are violent crime victims. The Act provides funding and directives to programs intended to protect victims, educate the public and professionals, and build connections between violence prevention services and supports. This includes rape prevention and education, battered women shelters and child abuse victim programs.

Washington's Office of Crime Victim Advocacy administers VAWA funds under several grant programs. The Services-Training-Officers-

The Violence Against Women Act (VAWA) provides funding and directives to programs intended to protect victims, educate the public and professionals, and build connections between violence prevention services and supports.

Federal funds from the 1984 Victims of Crime Act (VOCA) partially fund 44 emergency domestic violence shelters in Washington State.

Prosecutors (STOP) Grant provides funds and technical assistance to local law enforcement, prosecution, and victim services to improve the criminal justice system's response to violence against women. Each county receives approximately \$26,000 as a base amount, and additional awards are based on population and size of the county. The Rural Domestic Violence and Child Victimization Enforcement Grant, also within VAWA, funds special projects. Grants to the Enforcement of Tribal Protection Orders Project and Protection Orders to Victims of Sexual Assault Project, under VAWA, expand the number of people who use and benefit from protection orders.

Victims of Crime Act (VOCA) - In 1984, the federal Victims of Crime Act created a formula grant program to states to fund direct services to victims of domestic violence, child abuse, sexual assault and underserved victims of crime (such as survivors of homicide victims, robberies, hate/bias crimes, etc.). VOCA funds come from fines and penalties imposed on federal offenders. Federal VOCA funds also support state crime victim compensation programs.

In Washington, VOCA helps fund the Victim Assistance Grant Program, administered by Department of Social & Health Services (DSHS)⁴, and the Crime Victims Compensation Program administered by L&I. For federal fiscal year 2002, the VOCA victim assistance grant to Department of Social Health Services was \$7,845,000, of which \$7,374,300 was distributed to agencies serving victims of crime (Hannibal June 19, 2003). From this grant, Department of Social & Health Services partially funds 44 emergency domestic violence shelter programs⁵, 41 sexual assault programs (through interlocal agreement with CTED) and 28 programs serving other victims of crime such as victims of child abuse, survivors of homicide victims, and elderly victims of crime.

TABLE 1- 2 VOCA Funding Into Washington State	
Recipient	Funds Received
DSHS	\$3,535,262
L&I	\$3,332,000

Source: Hannibal June 19, 2003

Source: Crooker July 22, 2003

Federal Family Violence Prevention and Services Act (FVPSA) - FVPSA is a formula grant program administered by the U.S. Department of Health and Human Services to support domestic violence emergency shelter and advocacy services. Seventy percent of this funding is for emergency domestic violence shelters, and 25 percent goes towards related assistance. In federal fiscal year 2002, Department of Social & Health Services received \$1,745,219 from FVPSA (Hannibal June 19, 2003). From this grant, DSHS partially funds 44 emergency domestic violence shelter programs⁶ (in combination with available state general fund and VOCA moneys), and 12 programs serving

⁴ By statute, DSHS, after receipt of VOCA funds, is required to send the portion of the grant that is designated for sexual assault to OCVA to administer.

⁵ These shelters are also partially funded by FVPSA, described in the following paragraph.

⁶ These shelters are also partially funded by the VOCA grants and therefore mentioned in that section.

underserved victims of family violence (in combination with PSEA funds).

Edward Byrne Memorial State and Local Law Enforcement Assistance - The Byrne Program was created by the federal Anti-Drug Abuse Act of 1988. A statewide committee of criminal justice professionals directs funding toward controlling violent and drug-related crime and supports efforts to create multi-jurisdictional drug-control policies. In 2002, Washington was granted \$9,886,474 in Byrne funding. OCVA administers Byrne funding designated for victims services. In fiscal federal year 2002-2003, \$687,155 of the Byrne Fund went to domestic violence advocacy, while \$60,000 supported non-domestic violence crime victim's advocacy (Washington State Department of Community Trade and Economic Development 2003a).

TABLE 1- 3 Byrne Grant Historical Funding Program Allocations By Year			
Program	SFY '01 FFY '00	SFY '02 FFY '01	SFY '03 FFY '02
Domestic Violence Advocacy Training	\$30,000	--	--
Domestic Violence Legal Advocacy	\$667,094	\$697,075	\$687,155
Crime Victim's Advocacy (non-Domestic Violence)	--	\$60,000	\$60,000

Source: Washington State Department of Community, Trade and Economic Development 2003a

Key Program Areas

Sexual Assault and Domestic Violence - In 1979, the Washington Legislature allocated funds for the first time to victims of sexual assault and domestic violence by passing the Shelters for Victims of Domestic Violence Act (RCW 70.123) and the Victims of Sexual Assault Act (RCW 70.125). Currently, 44 domestic violence shelters and 41 community sexual assault programs around the state utilize state funds administered by DSHS.

Underserved Victims of Crime - As defined in SB 6763, underserved victims are victims of crimes including homicide, robbery, child abuse, assault (other than domestic abuse and sexual assault), and vehicular assault. A recent report to the Legislature by the Underserved Victims of Crime Task Force listed four goals for providing services to underserved victims: 1) ensure crime victims know their rights; 2) ensure crime victims have full access to services; 3) design services to alleviate the full impact of the crime; and 4) prevent re-occurrence of the impact of the crime (2002a 14). Prosecutor-based victim/witness programs provide some support to these victims, but such help is limited. Community-based organizations also lack sufficient funding to be an adequate resource.

Victim/Witness Notification

Department of Social and Health Services (DSHS) - DSHS Victim Notification staff contact registered victims or witnesses of violent or sexual crime when the perpetrators are released, transferred, or escape from DSHS-administered programs, including those at Washington state

Registered or enrolled witnesses and victims of violent or sexual crimes are notified when perpetrators are released, transferred or escaped from state facilities.

psychiatric hospitals, juvenile facilities or the Special Commitment Center for sexual offenders.

Department of Corrections (DOC) - Since 1983, DOC has notified enrolled victims and witnesses when a perpetrator convicted of a violent, sex, felony harassment or serious drug crime moves within the prison system or is released. In 2002, DOC hired Community Victim Liaisons (CVLs), located in each field office within DOC's five regions. They serve as a bridge between DOC and the victim community. The primary role of the CVL is to be the point of contact for the victim to explain release processes and to keep him/her informed about the released offender's living status.

The Office of Crime Victims Advocacy (OCVA) - OCVA contacts victims of offenders when the offender is scheduled for review by the Indeterminate Sentencing Review Board, and informs victims of their right to participate. Out of the 25 cases per month that receive parole eligibility reviews, about 20 percent of the victims participate in the review process.

Crime Victims Compensation Program

The state's Department of Labor and Industries was designated in 1973 to administer the Crime Victim Compensation (CVC) Program, because benefits are allocated in a manner similar to those for workers' compensation. To qualify for victim's compensation, applicants must be the victim of a violent crime (such as assault, domestic violence, or child abuse), that resulted in injury. The applicant must notify law enforcement of the crime within one year, and complete a program application. State law requires that CVC be a "payer of last resort," meaning CVC pays benefits only after benefits available through the victim's private or public insurance have been exhausted.

Benefits offered by CVC range from payment of medical, dental or mental health counseling bills and partial payment of lost wages, to funeral costs and pensions. The program provides up to \$150,000 for medical costs and up to \$40,000 for disability benefits.

Needs of Washington's Victims Outpace Services

Current services and service levels available to Washington crime victims simply do not meet needs. A survey of 35 agencies with responsibility for victim services revealed that 24 percent are not serving victims because necessary services do not exist (Washington State Office of Crime Victims Advocacy 2002a 14). While services for domestic violence and sexual assault are available, these agencies have no resources for victims of other crime categories such as vehicular assault, robbery, and physical assault.

Demand also far exceeds supply of services to victims of domestic violence and sexual assault. Between July 1, 2001 and June 30, 2002 for example, Washington's domestic violence shelters and safe home programs served 24,574 adults and children – and turned away an additional 34,713 they were unable to shelter (Washington State Department of Social and Health Services, Division of Program and Policy, Children's Administration 2002).

In fiscal year 2002 Washington's domestic violence shelters and safe home programs served 24,574 adults and children – and turned away an additional 34,713.

From July 2001 to June 2002, the state domestic violence hotline handled 27,780 calls.

TABLE 1- 4 Washington State Emergency Domestic Violence Shelter And Safe Home Programs: July 1, 2001 – June 30, 2002	
Category	Number
Total Adults and Children Served	24,574
Adults (18+)	15,811
Children (0-17)	8,763
Total Adults and Children Sheltered	6,616
Bednights	126,664
Average length of Stay at Shelter	16.15 days
Total Turnaway/Unable to Shelter	34,713

Source: Washington State Department of Social and Health Services, Division of Program and Policy, Children's Administration 2002.

At present, victims of domestic violence are the only crime victims who have access to a statewide toll-free 24-hour crisis line. Between July, 2001 and June, 2002, the state domestic violence hotline handled 27,780 calls, revealing widespread demand for this service (Washington State Department of Social and Health Services 2002).

As indicated in the Underserved Victim's Task Force report, violent crimes create many victims in addition to the person actually hurt or killed. For example, a homicide can create uncertainty and trauma among everyone who knew the victim, from the hairdresser to the spouse to the neighbors. With about 200 homicides in Washington every year, there are not sufficient services for the secondary victims of these violent crimes.

Summarized results of interviews with nine victims' advocates working in county and community programs across Washington appear in Appendix 2. These professionals identify additional specific gaps in services to crime victims.

Key State Agencies

Four key state agencies administer benefits and funding and provide services to crime victims and crime victim programs around the state.

Washington State Office of Crime Victims Advocacy (OCVA), Washington State Department of Community, Trade and Economic Development - Established in 1990, OCVA responsibilities include: (1) advocating on behalf of crime victims in obtaining needed services and resources; (2) administering grant funds for community programs working with crime victims; (3) assisting communities in planning and implementing services for crime victims; and (4) advising local and state government agencies of policies that affect crime victims.

OCVA provides funding and advocacy for all crime victims, and victims of sexual assault and domestic violence in particular. Approximately 15,000 victims of sexual assault and 38,000 victims of domestic violence annually receive services through OCVA contracts. An additional 250 victims annually receive advocacy services through OCVA (Emery, June 3, 2003). The table on the next page details OCVA support of domestic violence victims through community contractors.

TABLE 1-5 Domestic Violence Victims Served By Type of Service: July 2001 – July 2002	
Purpose of Service	Individuals Served (Unduplicated Count)
Protection Anti-Harassment Orders	9,499
Divorces/Separation	4,699
Child Custody/Visitation/Parenting Plans	4,355
Financial Support/AFDC	2,668
Crime Victim Compensation Applications	1,026
Criminal Charges Against Abuser	5,446
Referral to Other Agencies	11,539
Other/Misc.	15,136
Adults Served	19,165
Children Served	19,222

Source: Washington State Department of Community Trade and Economic Development, Office of Crime Victims Advocacy

Washington State Department of Social and Health Services (DSHS) - DSHS manages three programs for crime victims: the Victim/Witness Notification Program, the Domestic Violence/Victim Services Program, and the Sex Offender School Attendance Program.

The Victim/Witness Notification Program alerts victims or witnesses when persons incarcerated in a Washington psychiatric hospital, a facility for juveniles, or the Special Commitment Center for sexual predators are released, transferred, or escape. This confidential program is available to the victim, next of kin, the parent/guardian of minor victim of a violent or sex offense, or a witness who participated in the criminal prosecution of the offender. Victims/witnesses must enroll in the program in order to receive services.

The Domestic Violence/Victim Services Program contracts with local and non-profit agencies to provide direct services to victims of domestic violence and victims of other crimes, including victims and survivors of child abuse, drunk driving, homicide, gang violence, bank robbery, and other crimes. Program staff also manage the statewide certification of domestic violence perpetrator treatment programs.

Finally, as part of RCW 13.40.215 (5), DSHS also administers the Sex Offender School Attendance Program, which ensures that juvenile sex offenders released from Juvenile Rehabilitation Administration facilities do not attend the same school as their victim or victim's siblings.

As indicated in Table 1-6 on the next page, from October 1, 2001 to September 30, 2002, DSHS contractors, receiving federal VOCA funding, served 38,039 victims of crime with crisis counseling, shelters, medical advocacy and telephone contact.

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TABLE 1-6 VOCA Victim Services: Oct. 1, 2001 – Sept. 30, 2002	
Number of Victims Served	Crime
586	Child Physical Abuse
5,201	Child Sexual Abuse
202	DUI/DWI Crashes
26,586	Domestic Violence
1,898	Adult Sexual Abuse
12	Elder Abuse
1,021	Adult Molested as Children
372	Survivor of Homicide Victim
263	Robbery
551	Assault
1,347	Other

Source: Washington State Department of Social and Health Services 2003⁷

Washington State Department of Labor and Industries (L & I)

L & I serves crime victims through the Crime Victims Compensation program. Table 1-7 details the claims paid during federal fiscal year 2002.

TABLE 1-7 Washington Statewide Compensation Program: Oct. 1, 2001 – Sept. 30, 2002			
Type of Crime	Number of Claims Paid	Estimated Number of DV Related Claims Paid	Total Amount Paid
Assault	2,166	372	\$5,485,807
Homicide	218	20	\$1,635,385
Sexual Assault	248	52	\$352,601
Child Abuse	780	0	\$506,795
DWI/DUI	108	0	\$617,216
Other Vehicular Crimes	124	0	\$755,513
Stalking	0	0	\$318,094
Robbery	119	0	\$0
Terrorism	0	0	\$0
Kidnapping	0	0	\$0
Arson	0	0	\$0
Other	56	0	\$133,684
TOTAL	3,819	444	\$ \$9,805,095

Source: Washington State Department of Labor and Industry, Crime Victim Compensation Program 2003

Washington State Department of Corrections (DOC)-

DOC administers two key witness/victim programs:

Victim/Witness Notification - Program staff notify registered victims when offenders convicted of violent, sex, felony harassment and serious drug crimes move through the prison

⁷ These victims services are funded with federal, not state, money.

There are approximately 25,000 victims and witnesses currently enrolled in the DOC Release Notification Program, representing about 33 percent of those eligible to enroll.

The Domestic Violence Fatality Review Panel was established in 1999.

system. There are approximately 25,000 victims and witnesses currently enrolled in the DOC Release Notification Program, representing about 33 percent of those eligible to enroll. Since its inception in 1983, the program has administered an estimated average of 300 notifications, and enrolled about 120 new victims and witnesses each month (Stutz May 7, 2003).

Community Victim Liaisons (CVL) - DOC staff evaluates offenders to determine their level of risk to the community and to their previous victim. If an offender close to release is evaluated as highly likely to re-offend, poses an imminent risk to the victim, or has specifically threatened the victim, CVL contacts the victim and begins safety planning. Liaisons also bring in other DOC staff, local law enforcement and victim support groups to help the victim. There are currently five liaisons across the state. Victim/witness staff and liaisons conducted 85 “wraparounds.” Wraparound is support provided by law enforcement agencies for victims when the perpetrator is released from prison without supervision conditions. Support is provided by the CVL in cases where the perpetrator is released with conditions. Wraparounds include notification of release, and victim protection plans for victims at high risk (Stutz May 7, 2003).

Organizations that Influence Policy

The following organizations were created by policy-makers to study and make recommendations related to identification and enforcement of victims rights.

Domestic Violence Fatality Review Panel - Governor Locke established the Governor’s Domestic Violence Action Group in response to the May, 1999 discovery of Linda David, a woman beaten and held captive by her husband. The Action Group’s report, entitled *Everybody’s Business*, focused on prevention of domestic violence among populations with special needs such as women with disabilities, immigrant women, the elderly, sexual minorities and women of color. Soon after release of the report, the Legislature passed RCW 43.235.020, which created a domestic violence fatality review panel to convene annually over the next decade, subject to funding availability.

Underserved Crime Victims Task Force - In 2002, the Legislature passed Senate Bill 6763, creating the Washington State Task Force on Funding for Community-Based Services to Underserved Victims of Crime. In a report released in late 2002, the Task Force recommended the creation of a funding pool, administered by OCVA, to provide technical assistance to underserved victims service providers to build capacity and enhance services.

The Task Force also recommended further study of the following: the needs of the underserved community; granting OCVA enforcement authority to review rights violations experienced by crime victims; the need to improve the collection of penalty assessments; expand community outreach programs; increase the amount of resources for victims; and fund a statewide toll free hotline for all victims of crime (Washington State Office of Crime Victims Advocacy 2002a 31-34).

In 2002 Washington State established the first Taskforce in the US to deal with trafficking of persons.

Washington State Task Force Report on Trafficking in Persons - OCVA defines trafficking as the recruitment, transportation or sale of persons for labor. This labor is forced and usually maintained through coercion, threats and violence. Trafficked persons may be forced to work in the sex trade, domestic labor, begging, hotels, or may be exploited in mail-order bride or child adoption schemes. Although it may involve men, trafficked persons are usually women and children who are especially vulnerable in their home countries (Washington State Office of Crime Victims Advocacy 2002b 3, 4).

In 2002, the Legislature's Trafficking in Persons Act (HB 2381) created the first statewide Anti-Trafficking Task Force in the United States, and charged it with measuring and evaluating the state's progress in trafficking-related activities, identifying available services to trafficked persons, and recommending methods to provide a coordinated system of support for persons victimized by trafficking. The group's first report, released in November, 2002, outlines limitations and concerns related to victim services to trafficked persons. Currently, Washington relies on community service agencies that may not have the funding or the capacity to serve the special needs of these victims. Trafficked persons often deal with language and cultural differences, as well as shame in being forced to work in the sex industry, gender and racial discrimination, and a general unawareness of their legal rights or available services (Washington State Office of Crime Victims Advocacy 2002b 8, 14).

State Advocacy Organizations

There are several key statewide victims advocacy organizations in Washington.

Washington Coalition of Crime Victim Advocates (WCCVA) – WCCVA was established in 1984 to coordinate crime victim advocates across the state. Staff advocate for public policies that help victims, promote public awareness of victims, monitor legislation that affects victims, and enhance communication between victim service providers.

Washington Coalition of Sexual Assault Programs (WCSAP) – WCSAP has a membership of 41 community sexual assault programs in Washington. They work at both the state and federal level in four areas: education and training, organizational services, prevention, and agency operation. Staff also are extensively involved in public policy advocacy. Federal and state funds as well as members financially support WCSAP.

Washington State Coalition Against Domestic Violence (WSCADV) - WSCADV is a non-profit, statewide network of 64 member programs serving victims of domestic violence in rural, urban and tribal reservation communities of Washington, plus 119 individual and organizational associates. WSCADV staff advocate for victims, provide training and consultation for member programs, conduct research and educate the public. In December, 2002, they published "Tell the World What Happened to Me: Findings and Recommendations from the Washington State Domestic Violence Fatality Review."

Families and Friends of Violent Crime Victims - This organization provides services for underserved victims of robbery, aggravated assault,

families of missing adults where foul play is suspected, and homicide victims. It is the only statewide organization providing 24-hour support to these victims, including one-on-one crisis intervention, peer support group meetings and courtroom support.

Mothers Against Drunk Driving (MADD) –

MADD serves victims of vehicular crimes and opposes drunk driving. MADD staff offers emotional support, assistance with crime victim compensation, courtroom assistance and resource referrals.

See appendices for historical timeline of major policy and legislation.

Recent Washington Research on Victims Services

Concern for victims has resulted in a great deal of research in Washington. Below is all known research conducted in the last three years.

2002

- Washington State Coalition Against Domestic Violence. Dec. 2002. Tell the World What Happened to Me: Findings and Recommendations from the Washington State Domestic Violence Fatality Review. Seattle, Washington.
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- Washington State Office of Crime Victims Advocacy, Department of Community, Trade and Economic Development. Nov. 2001. Sexual Assault Experiences and Perceptions of Community Response to Sexual Assault: A Survey of Washington State Women Voters. Olympia, Washington.

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Revised Code of Washington 7.68.035, Special Proceedings and Actions

Revised Code of Washington 43.08.250, State Government - - Executive

Revised Code of Washington 69.50.520, Food, Drugs, Cosmetics and Poisons

Revised Code of Washington 70.123, Public Health and Safety

Revised Code of Washington 70.125, Public Health and Safety

Revised Code of Washington 71.09, Mental Illness

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